

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

In the Matter of the Application of Southern California Edison Company (U 338-E) Regarding the Future Disposition of the Mohave Generating Station.

Application 02-05-046  
(Filed May 17, 2002)

**ADMINISTRATIVE LAW JUDGE'S RULING GRANTING  
MOTION TO INTERVENE OF WATER AND ENERGY CONSULTING FOR  
LOCAL HOPI SINOM AND DINEH PEOPLE**

**Summary**

This ruling grants Water and Energy Consulting's (WEC) Motion to Intervene on behalf of the local Hopi sinom and Dineh people.

**Background**

On May 17, 2002, Southern California Edison Company (Edison) filed Application 02-05-046 regarding the future disposition of its Mohave Generating Station (Mohave) in Southern Nevada. A Prehearing Conference (PHC) and Public Participation Hearing was held on October 11, 2002, at the Navaho Nation Chapter House in Tuba City, Arizona.

On November 6, 2002, WEC filed a motion to intervene on behalf of the local Hopi sinom and Dineh people who are concerned with the continued operation of Mohave. In addition to the Hopi sinom and Dineh people, WEC's clients include residential customers of Edison who are also concerned about the local air quality, land restoration, and water resource implications of Edison's application, as well as the revenue implications for the Navaho Nation and Hopi Tribe, and the impacts on the local economy. WEC will be representing the local

people, an interest WEC believes is not represented to date in this proceeding. WEC asserts that its participation will enhance the record, will not prejudice any party, and will not delay the schedule for the proceeding.

Peabody Western Coal Company (Peabody) and Edison filed responses to WEC's motion. Peabody opposes WEC's intervention on the grounds that (1) the motion is untimely since it was filed after the initial PHC; and (2) allowing WEC in at this late date might thwart a timely resolution of the matter and increase the likelihood of a temporary or permanent shut-down of Mohave. Edison also raised the same concerns to WEC's late intervention in the proceeding. However, both Peabody and Edison posit that if WEC is allowed in the case, any negative impact could be ameliorated if WEC takes the case as it is today, and does not broaden the scope of issues.

Since WEC filed its motion to intervene before the scoping memo was issued and the procedural schedule set, the Commission is not concerned that WEC's late arrival will adversely affect the scope of the proceeding or delay the schedule. WEC's motion to intervene is granted. Service on WEC may be made as follows:

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Dated January 6, 2003, at San Francisco, California.

/s/ CAROL A. BROWN  
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Carol A. Brown  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Granting Motion to Intervene of Water and Energy Consulting for Local Hopi Sinom and Dineh People on all parties of record in this proceeding or their attorneys of record.

Dated January 6, 2003, at San Francisco, California.

/s/ KE HUANG

Ke Huang

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to ensure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.